

REMARKS

Claims 1-16 are pending in this application. By this Amendment, claim 1 is amended. Support for the amendments to claim 1 may be found at least on page 4, lines 5-31. No new matter is added by the above amendment. In view of at least the following, reconsideration and allowance are respectfully requested.

I. Claim Rejections under 35 U.S.C. § 103

The Office Action rejects claims 1-5 and 8-16 under 35 U.S.C. § 103(a) over U.S. Patent Application Publication No. 2004/0078817 (Horowitz) in view of U.S. Patent Application Publication No. 2002/0127000 (Yamato); and rejects claims 6-7 under 35 U.S.C. § 103(a) Horowitz in view of Yamato, and further in view of U.S. Patent No. 6,996,627 (Carden). These rejections are respectfully traversed.

Independent claim 1 recites, in part, "A method of recording audiovisual contents, the contents being broadcast according to a schedule predetermined by a content broadcaster, the method including: ... a step of the audiovisual content presentation server selecting at least an audiovisual content to be recorded, on the basis of the selected set, the content being associated with a broadcast date and time predetermined by the content broadcaster, [and] a step of the audiovisual content server generating a record file containing information identifying the selected audiovisual content to be recorded and the scheduled date and time for broadcasting it" (emphasis added).

Horowitz, Yamato, and Carden, in any combination, do not teach, disclose or suggest "a step of the audiovisual content presentation server selecting at least an audiovisual content to be recorded, on the basis of the selected set, the content being associated with a broadcast date and time predetermined by the content broadcaster, [and] a step of the audiovisual content server generating a record file containing information identifying the selected audiovisual content to be recorded and the scheduled date and time for broadcasting it."

Thus, Yamato, and Carden do not supply the subject matter missing in Horowitz. Therefore, Horowitz, Yamato, and Carden, either individually or in combination, do not teach, disclose or suggest the subject matter recited in claim 1.

In addition to the above-identified deficiency inherent in the applied references, Applicants respectfully submit that the Office Action misinterprets the teachings of the applied references. In particular, the Office Action relies on Yamato as teaching "the method further comprising a preliminary step of the access terminal selecting a set of contents having a common topic, said set being offered by an audiovisual content presentation server, which then executes the selection of the audiovisual content automatically on the basis of the selected set." *See* July 11, 2007, Office Action, page 3.

However, Applicants respectfully submit that Yamato fails to teach, disclose or suggest the "step of the audiovisual content presentation server selecting at least an audiovisual content to be recorded, on the basis of the selected set, the content being associated with a broadcast date and time predetermined by the content broadcaster." Rather, paragraphs [0166]-[0169] of Yamato, as referenced by the Office Action, teach the client device (i.e., the access terminal) selecting the audiovisual content to be recorded. For example, paragraph [0169] discloses "[t]he device 100 records a program based on a direct instruction by a user or a recording reservation instructed by a user... In addition, the device 100 searches the data of the EPG for user's favorite programs by using keywords or types which are established in advance by the user, extracts the searched programs, and automatically records the extracted programs" (emphasis added).

Although the Office Action asserts that the audiovisual content presentation server selects at least an audiovisual content to be recorded, when paragraph [0169] of Yamato is read in context of paragraphs [0166]-[0168] of Yamato, it becomes clear that the client device (i.e., the access terminal) selects the audiovisual content to be recorded. Because paragraph

[0168] of Yamato states that "a program recording device 100 which has an automatic program recording function includes a recording unit 101, a program accumulating unit 102, a program management database 103, a re-compression scheduler 104, a re-compression unit 105, a reproducing unit 106, a program information database 107, and an automatic program recording unit 108," it is evident that the program recording device is actually the client device (i.e., the access terminal) rather than the audiovisual content presentation server. For example, it is clear that the program recording device is the client device (i.e., the access terminal) because paragraph [0168] states that the program recording device includes, among other components, a recording unit 101 and a re-compression unit 105. The re-compression unit 105 is the crux of Yamato's disclosure that a program recording device compresses data of program recorded in a hard disk, at a user's desirable timing in a user's desirable compression level (i.e., see the abstract of Yamato).

Consequently, Horowitz, Yamato, and Carden, in any combination, do not teach, disclose or suggest "a step of the audiovisual content presentation server selecting at least an audiovisual content to be recorded, on the basis of the selected set, the content being associated with a broadcast date and time predetermined by the content broadcaster." Thus, Yamato, and Carden do not supply the subject matter missing in Horowitz. Therefore, Horowitz, Yamato, and Carden, either individually or in combination, do not teach, disclose or suggest the subject matter recited in claim 1.

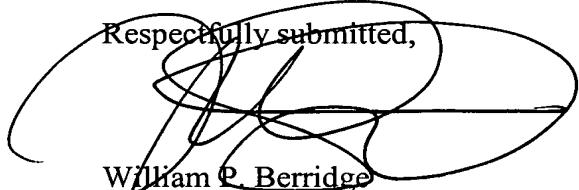
Claims 2-16 depend from claim 1. Because the applied references, in any combination, fail to render the subject matter of independent claim 1 obvious, dependent claims 2-16 are patentable for at least the reasons that claim 1 is patentable, as well as for the additional features it recites.

Accordingly, withdrawal of the rejections is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachments:

Petition for Extension of Time
Request for Continued Examination (RCE)

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